

Polk County Beginnings

Claude R. Cook

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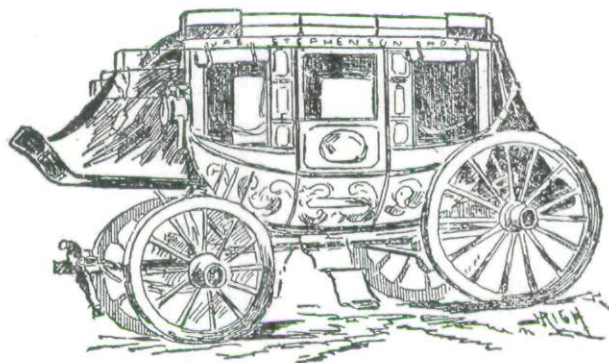
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First Brick Building in Des
Moines, built at 'Coon
Point by Jim Campbell



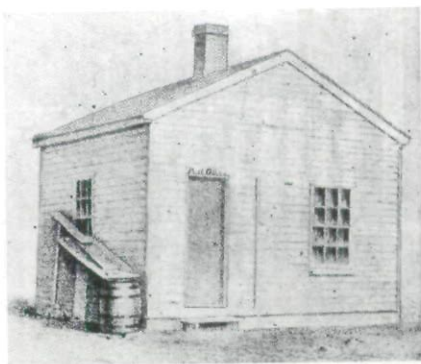
First Public School building in
Des Moines, at 9th and Locust
built in 1855, cost \$11,000



Colonel Hooker's Stage Coach
First Public Transportation



Old Indian Agency
at Des Moines



First Post Office Building
in Des Moines

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POLK COUNTY BEGINNINGS

By CLAUDE R. COOK, *Curator*

Polk county was organized under law of the Iowa territorial legislature enacted in January, 1846. In that year, four townships in the northern part of what afterwards was to become Warren county, were attached to Polk, through the intervention of Thomas Mitchell, Dr. Fagen, Dr. Hull and others, who were solicitous that Fort Des Moines should become the county seat. A projected village by the name of Brooklyn, now known in history only, was inaugurated on paper by Dr. Brooks, Jerry Church and William Lamb, who intended it to ornament the soil two miles northeast of the fort, as a competitor of Fort Des Moines. The result was that the latter place secured the ascendancy, and Brooklyn went houseless to its solitary grave.

In 1853, after the purpose of annexing the four townships from Warren county had been achieved, namely, the location of Fort Des Moines as county seat, these four townships were returned to Warren county. A commission on location appointed by the legislature were: Thomas Hughes of Johnson, M. L. Williams of Mahaska, and Giles M. Pineo of Scott county. In the county seat contest, a gentleman named A. D. Jones, the first county surveyor, was an earnest champion of the fort.

The first election in the county occurred on the 6th day of April, 1846, in one of the old dragoon buildings.

The number of votes polled was 175, the population at that time being about 500. John Saylor was elected probate judge; Thomas Mitchell, sheriff; James Phillips, coroner; A. D. Jones, surveyor; Thomas McMullin, recorder; William F. Ayres, treasurer; G. B. Clark, assessor; Addison Michael, collector; and Benjamin Saylor, William H. Metchem, and E. W. Fouts, commissioners. The officers were elected to serve until the next election, which took place the following August. After April 6, 1846, election records are missing as to the subsequent elections.

At the following August elections, Addison Michael and Sanford Starr were chosen justices of the peace. These were the first justices in the county. Up to this time all disputes or matters of litigation were decided by the military.

On April 28, 1846, the first civil case for the United States as plaintiff and Campbell Reeves, defendant, was tried before Addison Michael. It was a complaint asking for a search warrant. The sheriff made return that neither goods nor defendant were to be found.

Fort Des Moines as a town, was laid out June 4, 1846, by A. D. Jones surveyor, assisted by Dr. Fagan. A rope, instead of a chain was employed for the purpose. As late as 1853, when the population of Fort Des Moines still was about 500, a large number of people lived in the military garrison buildings. There were cabins, which had been hastily constructed for emergencies. There was but one church building in the place and this belonged to the Methodists.

First birth at Fort Des Moines was in early 1845. An infant daughter was born to Lt. Greer and his wife. The daughter did not live long. A few weeks before the birth of this daughter, a child was born to J. M. Thrift and wife, living east of the river. This was a son.

June 11, 1846, Judge Casady and Dr. Fagan, W. D. Frazee, an attorney, took dinner at the residence of Thomas Mitchell, at Apple Grove. A wedding of Benjamin Bryant and Miss Elvira Birge occurred on that

date, as well as the infliction of a snake bite on the person of Orrin Mitchell, son of the Apple Grove landlord. But Dr. Fagan made up a prescription for the boy consisting of tobacco and whiskey. The bite was cured, but later the boy lost his life in the military service of his country.

An event in those days which called for celebration and rather fantastic amusements, was the pay of the annuity to the Indians. The first annuity was paid by the government in what was afterwards called Polk county in 1843. In these celebrations the Indians displayed their distinctive traits of character and the white spectators either looked on or took part in some of the amusements.

PROVISION FOR COUNTY SEAT

In 1846, the United States congress passed a special act authorizing the agents of Polk county to pre-empt 160 acres of land in legal subdivisions for the plat of the county seat. About 140 acres were secured for the county seat. William Lamb has the record of building one of the first dwelling houses in the county near the old Allen packing house, and history gives B. T. Hoxie the credit for keeping the first regular citizens store. His son H. M. was clerk of the district court later. The first frame house was built by Addison Michael in 1847, and the first brick by L. D. Winchester.

In 1846, Reuben W. Sypher who had come to Fort Des Moines from Indiana, set up to sell goods at the trading post of Phelps & Company, which was located near the site of the present Rock Island passenger depot. B. T. Hoxie sold goods at this same cabin in 1847. He sold out to Benjamin Coffey and a short time later Mr. Syphers sold goods at the same place. In the fall of 1847, Mr. Sypher transferred his business to his new store building at the north-east corner of Second and Vine streets. When he proposed to build a business house as far north as Vine street, which was but one block from Market street, the citizens laughed at him and thought he was partly crazy. Mr. Sypher built

on Fourth street, between Walnut street and Court avenue, paying for the two lots the enormous sum of \$30.00, or \$15.00 a lot.

Of course all of the trading posts were log cabins, and for that matter some of the residences were too.

COUNTRY AREAS SETTLED

In the four-year interim between 1846-1850, the different settlements in the county were known as Apple Grove and Wallace's Prairie. Apple Grove was in Beaver township and Wallace's Grove in Camp township, where Lafayette stands. Trullinger's Grove in Franklin township, Four Mile settlement, Mud Creek, Saylor's Grove and Hopkins Grove, the last of which being in the northern part of the county. These settlements were all east of the Des Moines river. On the west were Ayres Grove, Walnut Creek, and McClean's settlements. Keokuk Prairie and Lynn Grove were located in what is now Warren county, but formerly were in Polk county. Although obscured somewhat by lack of information, it is rather definitely clear that Keokuk Prairie was the former abode of the Chieftain Keokuk and village, and embraces all the bottom land between the Des Moines and North river.

There was a small island in the Des Moines river embracing about two acres, extending from where Court avenue bridge stands, to a point just below confluence of the two rivers. And another island, larger, was located about one-fourth mile farther down. Both were covered by a dense growth of trees, mostly cottonwood and elm. Time and erosion eliminated these islands. There was a soldier's cemetery at the corner of Third and Locust street, and at one time there were four or five graves in it. The little daughter of Lt. Greer was buried there. The remains were later exhumed and taken to his eastern home.

CELEBRATED FIRST SETTLEMENT

Midnight, October 11, 1845, the report of a gun announced the fact that the reign of civilization had really commenced. Torchlight parades and hundreds of set-

tlers marked the entrance into this unbroken wilderness of the west. The clank of axes, as they swung into the trees, were heard on many sides and there, during the night, were transferred before the morning light, to the ownership of men, lands that were to be handled by these men and transform this wild region from its state of nature to a high condition of improvement.

The principal rural settlements in the county in 1849 were Jefferson township, on Beaver creek; Walnut township, west of the fort; Madison township in the northern part of the county on Skunk river; and still others in Saylor bottom, on Four Mile creek, and at Apple Grove and in Elm township.

What was called the new code at the time, had gone into effect in 1851, and 1852 was the year for the election of the first county judge proper, whose name was F. G. Burbridge.

During the administration of Byron Rice as county judge, Hardin and Story counties were organized, the former into two townships, Kossuth and Washington, and the latter into the townships of Pierce and Scott, named for the rival candidates for president in 1852. At that time, in 1852, Polk county had jurisdiction for election and revenue purposes, over all northern and western Iowa, except Dallas and Boone counties.

SETTLER'S RIGHTS PROTECTED

This was the era of plain tempers, for from the time it had been known that the lands would ultimately be open to market, many speculators from the east had thoroughly explored the country and made such selection of real estate as would suit them, regardless of the rights of settlers. In time the rapacity of these speculators, and the selfishness of other men, became so alarming and so aggressive that on the 8th of April, 1848, a meeting was held at Fort Des Moines of the citizens, to take some action for the defense of the settlers who were already here. The meeting was held and the resolutions were drawn protecting the rights

of the settlers and undertaking to establish some semblance of order. The resolutions were unanimously adopted. J. B. Scott, Thomas Mitchell of Apple Grove, John Saylor of Saylorville and Dr. Fagen and Thomas Henderson were appointed a committee, having the matter in charge.

A large number of signatures were obtained to the resolutions. The claim laws were unknown to the statutes of the United States and they originated out of the necessity of things, and the rights were claimed under the Constitution of the United States. For the most part the validity of these claims were recognized on the part of the settler. In 1839, an act was passed making the transfer of valid consideration to support a promise to pay for the same. The Supreme Territorial Court held this to be valid.

W. H. McHenry, who came to Des Moines in 1848, just in the midst of all this claim excitement, states that the people were a law unto themselves. The machinery of the courts had been imperfectly introduced and lynch law often took the place of the more civilized code. The people enacted what were styled, "Club Laws," for the government of society. These laws had special jurisdiction in all cases concerning the rights of claim holders. Each man staked out his claim and went to work on it, building his cabin and making other improvements. The club appointed the secretary and made it a part of his duty to record the numbers of the land belonging to the members of the club. It was further a part of his duty to attend land sales held in Iowa City and bid the lands off in the names of the settlers. The settlers were to attend the sales too and as far as practicable, knock down and drag out any person who should attempt to interfere with the secretary in the purchase of their lands. The secretary faithfully performed his duty along with the people in the enforcement of these club laws. No continuances were allowed, no dilatory pleas were heard, no appeals were granted by Judge "Lynch." His judgments were swift and certain.

"CLAIM CLUB" CONTROVERSIES

An interesting incident grew out of this club activity. Asa Fleming had a claim south of Fort Des Moines. B. Perkins, member of the club, filed an intention to pre-empt the property. Fleming informed the claim members of his wrongs and a crowd soon gathered around him to vindicate his imperiled rights. Perkins, apprised of his danger, took his horse and fled toward the Raccoon ferry. He was followed by a multitude of exasperated citizens armed with guns and other implements of warfare. He managed to get away, though he was repeatedly shot at. After a few days, not hearing from his enemies, Perkins emerged from his retreat, had a warrant issued for the arrest of Fleming on assault with the intent to kill. Fleming's friends gathered again, proceeded with force to the office of Justice of Peace Benjamin Luce, rescued their friend, gave him a horse, then escorted him in triumph to his home.

But Perkins had his enemy again arrested. Again, nearly a hundred friends of Fleming massed for resistance and undertook to order the ferryman to take them across. He refused to do it unless they stacked their arms and became peaceable subjects of law and order. They reluctantly complied and were taken over and entered the town unarmed. Fleming was tried and Perkins' charges found true and the prisoner gave bonds for his appearance in the next term of the district court. The grand jury failed to find a bill against Fleming and Perkins had to give Fleming a bond. This ended what is called the Fleming war.

An interesting incident in connection with it however, is that a man named Holland, who was temporarily stopping at the fort, was suspected of complicity with Perkins. The "Claim Club," already excited by the irritating events, decided to execute vengeance upon Holland by carrying out the orders of Judge "Lynch" and hanging him immediately. Before the rope was adjusted, however, Holland asked permission to make some farewell remarks. His speech was such a mag-

nificent and movingly eloquent discourse that he disarmed his foes and made them his fast friends. He was not the first, nor even the last, to talk himself out of a very tight place.

The early settlers association was organized Feb. 26, 1868. The officers were: Thomas Mitchell, president; R. L. Tidrick, recording secretary; Hoyt Sherman, corresponding secretary; B. F. Allen treasurer. The first meeting was held in the council rooms and twenty-five people were present. Isaac Cooper was temporary chairman and Peter Meyers was temporary secretary.

STEAM POWER EMPLOYED

A. D. Fuller and P. H. Buzzard made the first plow and wagon in the county in 1847. The first drayman was Michael Kennedy, who came to Des Moines in 1855. The first steam power was employed by C. C. Van, in 1848. The first steam power employed in journalism was by John Teesdale on the *Register* in 1859.

The first stove store was kept by Jesse S. Dicks, in 1849. The first power printing press was used by T. H. Sypher, on the *Citizen*, in 1856. This was a Guernsey style press run by hand. The first piano in Fort Des Moines was owned by Capt. F. R. West. The first ice dealer was E. R. Clapp.

The county was originally divided February 2, 1847, into four townships; Des Moines, Madison, Camp and Skunk. Allen, Four Mile and Saylor were organized January 4, 1848. Jackson township was organized June 16, 1859, but was vacated and restored to Madison county July 12 of the same year. A portion of Saylor was attached to Des Moines township, October 3, 1849. Beaver was organized from parts of Scott and Camp townships January 9, 1850; Delaware, October 9, 1850; Jefferson, January 2, 1851; Halcart, 1851; Washington and Franklin on March 6, 1856; Lee, September 28, 1857; Douglas, September 6, 1858; a portion of Camp was added to Four Mile September 21, 1858, and on the same date a part of Four Mile was attached to Lee. Bloomfield was organized September 20, 1858; Walnut

township was organized from portions of Jefferson, and Des Moines, January 7, 1860, it was organized with certain changes March 26, 1860. On October 1, 1860, a portion of this township was added to Jefferson, leaving the boundaries of both townships as they now exist. Valley township was organized March 26, 1860; Grant from a portion of Lee, September 7, 1870. Saylor, re-organized Crocker and Lincoln were constituted as parts of Madison, Lee and Saylor township December 26, 1870. Skunk, one of the original townships, was absorbed by Washington, Elkhart and Franklin.

COUNTY COMMISSIONERS

County government began under what was called the Commissioner's System. The board of commissioners was elected for the first time April 6, 1846, before the territory became a state. The first meeting took place April 13 of that year. The first three commissioners were: William H. Metcham, Benjamin Saylor and E. W. Fouts, with William McKay, clerk of the board.

One of the first acts of the board was to employ the eagle-side of a half dollar as a temporary seal, with which to authenticate their business.

April 14, A. D. Jones was ordered to lay out a town site selected for the county seat of Polk county. July 1st, sale of lots was ordered for the 15th of July in Fort Des Moines. July 6th, judges were appointed for the ensuing August election.

July 7th, a poll tax of fifty cents on each male over twenty-one years of age was ordered. Constables were appointed for the January term, 1847.

During the 1847, February term, John Scott was authorized to keep ferries across the river with rates as follows: footman, .05 cents, horsemen, .12½ cents, wagon and span of horses, .37½ cents. These rates were to apply at both rivers.

The first entry of the board of commissioners, under the state organization, is dated April 12, 1847. Edward Martin was allowed to keep a ferry at his residence,

and the township of Four Mile was organized. At the July meeting, 1847, the county was divided into three commissioner districts, and the county of Boone was set off from Polk and called Boone precinct. October 7th, the same year, the board bought a lot from Thomas McMullen on which to build the court house, for which they paid \$25.00. The court house was originally designed to be of frame material, but it was afterwards changed to brick, with stone foundation.

January term, 1848, Sheriff Thomas Mitchell was paid \$6.00 for arresting one Davis for passing counterfeit money and for crossing the river, supper, breakfast, horse feed, horse hire, traveling forty miles and serving the writ. At the same term it was ordered that a lot be given to the M.E. church, provided that a house of worship, either frame or brick, not less than 24 x 30, should be erected thereon within two years.

Contract for the court house was given to John Saylor for \$2,050.00. October 4th, Edwin Hall was allowed to build a dam at the site where they afterward erected a mill on the Des Moines river.

November 20, 1849, R. W. Sypher was allowed by the board to finish the jail, which had been started by James Garrant and George Shell; the latter died before the completion of the work. At the same time John Saylor was released from the court house contract, having been paid \$225.00, and John C. Jones and Samuel Gray were authorized to finish the structure. The former to do the carpenter and the latter the mason work.

FORMAL LOCAL GOVERNMENT

The first probate judge was named William Rickey, who went into office September 18, 1846. The first county judge was F. G. Burbridge, who was elected in August, 1851.

The first marriage license issued by the county court was dated August 11, 1851, was to Avery Hoskins and Amanda Michael.

In July, 1847, Boone county was set off from Polk

and was called Boone. The county has had three district systems of government. The executive management was first vested in a board of commissioners. Next came the county judges, the last of whom were re-elected in August of 1857, and retired in 1860.

January 7, 1861, the supervisor system went into operation, assuming complete control of county matters. The first members of the board were elected at the previous election on November 6, 1860.

One of the first acts of the board was to secure control of the work on the new court house. Judge Napier, in 1857, had given to Isaac Cooper the contract for building this. The fifth day of January, 1863, the board of supervisors took up their final quarters in the new court house, the contract price being \$64,300.00.

Early in May, 1865, one hundred twenty acres of land was purchased in Saylor township for \$4,000.00 for a county home. Later one hundred sixty acres more were secured by the purchase of an adjoining tract of land.

The first term of the district court commenced for Polk county on April 6, 1846, at Fort Des Moines in a room occupied by a Miss Davis, for school purposes. The judge was Joseph Williams of Muscatine, a supreme court justice. The district attorney, Thomas Baker.

The first murder in the judicial record was tried in the September court, 1854. A man by the name of Pleasant Fouts was indicted for the murder of his wife.

A LAND OFFICE LOCATED

The United States land office was opened at Fort Des Moines, January 28, 1853.

The state capitol was moved to Des Moines in 1857. The bill which made the first appropriation for the erection of the new capitol was approved by Governor Merrill, April 13, 1870.

COAL MINING SYSTEMATIZED

In 1873, Wesley Redhead instituted the first system-

atic mining. A few rods south of Raccoon bridge, west of the south part, a drill was introduced under the direction of a Mr. Gibson, foreman. At seventy feet, the flint rock was found and this was enough for everyone around Mr. Gibson to advise him to abandon the work. However, he did not share their lack of optimism and after ascertaining how much rod was left ordered the work to proceed. After four weeks the rock was finally penetrated and the drill quickly descended through a vein, revealing five feet thick of black diamond coal at a depth of 150 feet. Upon this information, he secured from B. F. Allen, the banker, an investment in the Black Diamond Coal Mine of \$35,000.00. The shaft was sunk to the required depth and in a short time all the appliances belonging to a first-class mine were visible and coal was brought to the surface. It was not long before two miles of road were leading to the passages of the mine and forty men were employed in working this rich lead. This, of course, was the beginning of a number of coal companies being organized in the county and around it.

The first plow factory was built in Des Moines in 1851. The first foundry in the fall of 1856.

August 29, 1866, the railroad reached the capital from Eddyville. It had reached Eddyville in 1861, where the terminus remained for the intervening period. During that time people from this section had to travel in coaches, nearly a hundred miles. Not long after the railroad's entrance into Des Moines, the line was extended to Fort Dodge.

The first newspaper in Des Moines was inaugurated in 1849. It was the *Star*. The files of this paper are in the newspaper division at the State Historical building.

On Whose Side

It was Abraham Lincoln's advice to the states to "work and to pray, not that the Almighty be on our side, but that we be on His."

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